



## **Arizona Regulatory Board of Physician Assistants**

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Janet Napolitano  
Governor

Randy Danielsen, Ph.D., P.A.-C  
Chairman

Barry A. Cassidy, Ph.D., P.A.-C  
Executive Director

### **FINAL MINUTES FOR SPECIAL TELECONFERENCE MEETING**

**Held at 12:00 p.m. on January 27, 2004**

**9545 E. Doubletree Ranch Road • Scottsdale, Arizona**

#### ***Board Members***

Randy D. Danielsen, Ph.D., P.A.-C, Chair  
Albert Ray Tuttle, P.A.-C, Vice Chair  
Michael E. Goodwin, P.A.-C  
G. Bradley Klock, D.O.  
James Edward Meyer, M.D.  
Sigmund Popko  
Anna Marie Prassa, Public Member  
Joan M. Reynolds, P.A.-C  
Peter C. Wagner, D.O.  
Barry D. Weiss, M.D., FAAFP

#### ***Board Counsel***

Christine Cassetta, Assistant Attorney General

#### ***Staff***

Barry A. Cassidy, Ph.D., P.A.-C, Executive Director  
Amanda J. Diehl, M.P.A., CPM, Assistant Director / Licensing & Operations  
Barbara Kane, Assistant Director / Investigations & Quality Assurance  
Beatriz Garcia Stamps, M.D., M.B.A., Board Medical Director  
Gary Oglesby, Chief Information Officer  
Tina Speight, Public Affairs Coordinator  
Lisa McGrane, Legal and Communications Coordinator

#### **Call to Order**

Randy D. Danielsen, Ph.D., P.A.-C, Chair, called the meeting to order at 12:06 p.m.

#### **Roll Call**

The following Board members were present: Randy D. Danielsen, Ph.D., P.A.-C, Albert Ray Tuttle, P.A.-C, Michael E. Goodwin, P.A.-C, James Edward Meyer, M.D., Sigmund Popko, Anna Marie Prassa, and Joan M. Reynolds, P.A.-C. The following Board members were absent from the meeting: G. Bradley Klock, D.O., Peter C. Wagner, D.O., and Barry D. Weiss, M.D.

#### **Call to the Public**

There was no one present at the call to the public.

#### **Consideration of Pending Legislation regarding A.R.S. § 32-2554 et seq.**

Tina Wilcox, Board Legislative Liaison, informed the Board that the proposed legislative changes to A.R.S. 32-2554 would be to change the Class 6 Felony to a Class 1 Misdemeanor. Ms. Wilcox explained the difference between a Class 6 Felony and a Class 1 Misdemeanor. She also explained that this proposal is coming forward because a "Sentencing Committee" is reviewing ways to relieve prison overcrowding. Christine Cassetta, Board Counsel, stated that another option for the Board would be to change the current Class 6 Felony to a Class 5 Felony instead of a Class 1 Misdemeanor. Ms. Wilcox explained that jail time starts at 6 months for a Class 5 Felony and can be made less significant with mitigating factors whereas a Class 6 Felony would be more severe.

Sigmund Popko asked if there were any statistics regarding the number of physician assistants prosecuted with this type of Felony. Ms. Cassetta recollected that the number was very minimal. Mr. Popko stated that the prosecutors might be more willing to prosecute such cases if the change to a Class 1 Misdemeanor was made. Ms. Wilcox discovered after her discussion with the analyst for the "Sentencing Committee" that most Class 6 Felonies were pleaded down to a Class 1

### **Consideration of Pending Legislation regarding A.R.S. § 32-2554 et seq. - Continued**

Misdemeanor. Ms. Wilcox also pointed out that if the Board approves this statutory change, the Board would not be able to take the egregious cases and charge them with a Class 6 Felony. Ms. Cassetta confirmed with Mr. Popko that the Justice Courts handle these types of cases. James E. Meyer, M.D. brought up concern that a Class 5 Felony would dramatically lessen the penalty and could possibly hinder the public's confidence. Michael E. Goodwin, P.A.-C commented that he does not want to see headlines in the newspaper that the Board is lessening its violations. Albert Ray Tuttle, P.A.-C agreed with P.A. Goodwin. P.A. Tuttle also stated that it should be left as a Felony since it can be plead down to a Misdemeanor because it would also allow the possibility to prosecute. Ms. Wilcox reiterated that the purpose was to look at ways to eliminate all Class 6 felonies throughout the Arizona Revised Statutes.

**MOTION: James Edward Meyer, M.D. moved to reject the proposed Legislative change; allowing a provision for Class 5 Felony.**

**SECONDED: Anna Marie Prassa**

**VOTE: 7-0-0, MOTION PASSED.**

The meeting adjourned at 12:23 p.m.

[Seal]

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Barry A. Cassidy, Ph.D., P.A.-C, Executive Director